

## REMARKS

In the Office Action, the drawings were objected to as failing to comply with 37 CFR 1.84(p)(5). The drawings were also objected to under 37 CFR 1.83(a). The disclosure was objected to because of informalities. Claims 16 and 18 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-8, 10-16 and 18 were rejected under 35 U.S.C. §102(e) as being anticipated by Lady (U.S. Pat. Pub. No. 2004/0000273). Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Lady. Claims 1-8 and 10-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Arakawa (U.S. Pat. No. 5,247,905) in view of Hammon et al. (U.S. Des. Pat. No. 313,677) and Huff (U.S. Pat. No. 1,508,601).

Lady discloses an animal training apparatus comprising a leash connector attached to a chest portion of a harness. The Examiner has asserted that the leash connector ring (15) is slidably mounted on the chest strap since the ring can rotate/spin and in doing so, moves along the surface of the chest strap. The applicant disagrees with this interpretation.

It is clear from the amended wording of claim 1 and the description of the present application that in the harness of the present invention, the first attachment

is mounted such that it can move along the length of the chest strap in the direction in which the leading strap is being pulled. This is clearly not achievable by the arrangement of the leash connector in Lady and the apparatus of Lady could not be used in the same way as the present invention to control an animal on which the apparatus is mounted. Any sideways force applied to the ring (15) by a leading strap or leash would not bring about any sliding movement of the ring along the chest strap in the direction of the leading strap but would simply cause the entire strap to be pulled sideways. As set out in the second paragraph of the present application, this causes the dog to be physically pulled, rather than guided to the left or right.

The Examiner goes on to assert that the buckle 18 on the back strap of the apparatus in Lady constitutes the “second lead attachment” of the present invention. Clearly, this cannot be the case since on the basis of the figures of Lady, the buckle 18 would not even be capable of having a lead attached to it. In any case, Lady provides no teaching that would motivate one of ordinary skill in the art to consider attaching a second lead strap to the buckle 18, nor any discussion of the possible advantages of using two lead strap attachments to control an animal. It seems, therefore, that the Examiner’s comments are based purely on hindsight.

In view of the foregoing, the amended claims are patentable over Lady.

Arakawa discloses a harness for restraining an animal with a leash wherein at least one ring connecting member (6) is connected to the upper part of the body strap for securing a leash thereto. There is no disclosure in Arakawa of providing an attachment for a leading strap on the chest strap of the harness, but the Examiner asserts that this feature may be provided by the buckle (3b) of the harness. For the reasons set out above in relation to Lady, the buckle 3b is neither capable of having a lead attached thereto, nor of sliding along the chest strap in the direction of the leash, or lead strap.

There is absolutely no reason why one of ordinary skill in the art would consider it obvious to provide a “slidable” attachment in the absence of any teaching as to why such a feature would be helpful. In fact, based on conventional methods for restraining dogs, it may even be considered to be an undesirable feature, since conventional methods rely on the pulling of the chest strap against the animal.

Furthermore, there is nothing in Arakawa that would motivate one of ordinary skill in the art to attach two separate leading straps to two different attachment points. The applicants are the first to have developed a training harness and method in which an animal can be guided from both the front and back.

The amended claims are therefore patentable over Arakawa.

The Examiner has said that even if Arakawa cannot be considered to teach the provision of two lead attachments, or a slidable lead attachment, this would be obvious based on the combination of Arakawa and Hammon.

Hammon shows a dog harness having a lead attachment on the chest strap. There is no indication that the attachment is slidable, or that a second lead attachment could additionally be provided on the back strap.

If one of ordinary skill in the art were to look at Arakawa and Hammon in combination, they would see that it is possible to provide a lead attachment in two different places on a harness. They would see these as alternative positions to each other, since there is no teaching in either patent which would lead them to consider having two separate lead attachments on the same harness.

As with Arakawa and Lady, there is no disclosure or suggestion of providing a **slidable** lead attachment.

Thus, even in combination, these two documents do not provide a harness having the features of amended claim 1.

With respect to the use of HALTI, this trademark has been identified with “®”. The recitation of Soft Touch Concepts is a company name.

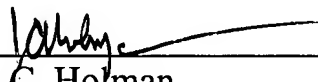
Based on the foregoing amendments and remarks, it is respectfully submitted that the present application should now be in condition for allowance. A Notice of

Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:   
John C. Holman  
Reg. No. 22,769

400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
(202) 638-6666  
Date: November 24, 2009  
JCH/JLS:crj